



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF
GENERAL COUNSEL

September 27, 2014

Emma Best
Dept. MR56248 411A Highland Ave
Somerville, MA 02144

Re: Freedom of Information Act Appeal No. EPA-HQ-2017-008949 (Request No. EPA-HQ-2018-008922)

Dear Ms. Best:

I am responding to your October 4, 2018 Freedom of Information Act (FOIA) appeal. You appealed EPA's failure to respond to your June 21, 2018 FOIA request and your placement in the "all other" fee category.

I have carefully considered your request and your appeal. I have concluded that your appeal of the EPA's failure to respond and fee category is moot. EPA Office of Mission Support concluded the response to your FOIA request and concluded that there will be no billable hours and therefore no charges will result from this request. Because EPA processed your request at no cost, the Agency does not need to consider the merits of your appeal at this time and your appeal is moot.

This letter constitutes EPA's final determination on this matter. Pursuant to 5 U.S.C. § 552(a)(4)(B), you may obtain judicial review of this determination by filing a complaint in the United States District Court for the district in which you reside or have your principal place of business, or the district in which the records are situated, or in the District of Columbia. Additionally, as part of the 2007 FOIA amendments, the Office of Government Information Services (OGIS) within the National Archives and Records Administration was created to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. You may contact OGIS in any of the following ways: by mail, Office of Government Information Services, National Archives and Records Administration, Room 2510, 8610 Adelphi Road, College Park, MD, 20740-6001; e-mail, ogis@nara.gov; telephone, 202-741-5770 or 1-877-684-6448; and fax, 202-741-5769.

Should you have any questions concerning this matter, please call Joan Kaminer at 202-564-0334.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin M. Miller", is positioned above the typed name.

Kevin M. Miller
Assistant General Counsel
General Law Office

cc: Denise Robinson, Office of Mission Support